

## RESOLUTIONS

ment, which mileage shall not exceed Two Dollars and Fifty Cents (\$2.50) for each twenty-five (25) miles, the distance to be computed by the nearest and most direct route of travel by land, regardless of rail-ways or water routes; and the Comptroller of the State shall prepare and preserve a table of distances to each county seat, now or hereafter to be established; and by such table the mileage of each member shall be paid; but no member shall be entitled to mileage for any extra session that may be called within one day after the adjournment of any regular or called session."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held throughout the State on the fourth Saturday in August, A. D. 1945, at which all ballots shall have printed thereon:

"FOR the Constitutional Amendment providing for continuous salary per diem of all members of the Legislature during their tenure of office" and

"AGAINST the Constitutional Amendment providing for continuous salary per diem of all members of the Legislature during their tenure of office."

Each voter shall mark out one of said clauses on the ballot, leaving the one expressing his vote on the proposed Amendment.

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State.

Sec. 4. The provisions of this Constitutional Amendment shall be self enacting, and if a majority of votes at said election shall be cast for same the Governor shall, within thirty (30) days after said election, issue a proclamation declaring this Amendment to be a part of the Constitution of Texas.

Passed the House, as amended, February 20, 1945: Yeas 106, Nays 30;  
passed the Senate, March 28, 1945: Yeas 23, Nays 6.

Filed without the Governor's signature April 10, 1945.

Defeated at election held Aug. 25, 1945.

## CONSTITUTIONAL AMENDMENT—ARTICLE 3, §§ 51a-51c

H. J. R. No. 13

Proposing an amendment to the Constitution of the State of Texas, amending Sections 51a, 51b, 51c, and 51d of Article III so that the same shall consist of one section to be known as Section 51a, providing that the Legislature shall have the power to provide assistance to and provide for the payment of same to actual bona fide citizens of Texas who are needy aged persons over the age of sixty-five (65) years, needy blind persons over the age of twenty-one (21) years, and needy children under the age of sixteen (16) years; providing for the acceptance of financial aid from the Government of the United States for such assistance; providing that the payments of such assistance from State funds shall never exceed either the payments from Federal funds or a total of more than Thirty-five Million Dollars (\$35,000,000) per year; providing for the necessary election, form of ballot, proclamation, and publication, and making an appropriation to defray the necessary expenses of proclamation, publication, and holding the election.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Sections 51a, 51b, 51c, and 51d of Article III of the Constitution of the State of Texas be amended and the same are hereby amended so that the same shall hereafter consist of one section to be numbered 51a, which shall read as follows:

"Sec. 51a. The Legislature shall have the power, by general laws to provide, subject to limitations and restrictions herein contained, and

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such other limitations, restrictions and regulations as may by the Legislature be deemed expedient for assistance to, and for the payment of assistance to:

"(1) Needy aged persons who are actual bona fide citizens of Texas and who are over the age of sixty-five (65) years; provided that no such assistance shall be paid to any inmate of any State supported institution, while such inmate, or to any person who shall not have actually resided in Texas for at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application; provided that the maximum payment per month from State funds shall not be more than Twenty Dollars (\$20) per month.

"(2) Needy blind persons who are actual bona fide citizens of Texas and are over the age of twenty-one (21) years; provided that no such assistance shall be paid to any inmate of any State supported institution, while such inmate, or to any person who shall not have actually resided in Texas at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application.

"(3) Needy children who are actual bona fide citizens of Texas and are under the age of sixteen (16) years; provided that no such assistance shall be paid on account of any child over one (1) year old who has not continuously resided in Texas for one (1) year immediately preceding the application for such assistance, or on account of any child under the age of one (1) year whose mother has not continuously resided in Texas for one (1) year immediately preceding such application.

"The Legislature shall have the authority to accept from the Federal Government of the United States such financial aid for the assistance of the needy aged, needy blind, and needy children as such Government may offer not inconsistent with restrictions herein set forth; provided however that the amount of such assistance out of State funds to each person assisted shall never exceed the amount so expended out of Federal Funds; and, provided further that the total amount of money to be expended out of State funds for such assistance to the needy aged, needy blind, and needy children shall never exceed the sum of Thirty-five Million Dollars (\$35,000,000) per year."

Should the Legislature enact enabling laws and provide an additional appropriation hereto in anticipation of the adoption of this amendment, such Acts shall not be invalid by reason of their anticipatory character.

Sec. 2. The foregoing Constitutional amendment shall be submitted to the qualified electors of Texas at a special election to be held throughout the State of Texas on the 25th day of August, 1945, at which election there shall be printed on such ballot the following clause:

"FOR the amendment to the Constitution giving the Legislature the power to set up a system of payments of old age assistance to those above sixty-five (65) years of age; provided that monthly payments from State funds to any one person may be in valid amounts based on need, that the maximum payment per month per person from State funds shall not be more than Twenty Dollars (\$20) per month; giving the Legislature the power to set up a system of payments for the needy blind persons over twenty-one (21) years of age; giving the Legislature the power to set up a system of payments to needy children under sixteen (16) years of age; providing for the expenditure of funds from the Federal Government; limiting the total amount which may be expended for such assistance out of State funds; and providing conditions as to residence within the State in order to become eligible to receive assistance."

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"AGAINST the amendment to the Constitution giving the Legislature the power to set up a system of payments of old age assistance to those above sixty-five (65) years of age; provided that monthly payments from State funds to any one person may be in valid amounts based on need, that the maximum payment per month per person from State funds shall not be more than Twenty Dollars (\$20) per month; giving the Legislature the power to set up a system of payments for the needy blind persons over twenty-one (21) years of age; giving the Legislature the power to set up a system of payments to needy children under sixteen (16) years of age; providing for the expenditure of funds from the Federal Government; limiting the total amount which may be expended for such assistance out of State funds; and providing conditions as to residence within the State in order to become eligible to receive assistance."

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have the same published and held as required by the Constitution and the Laws of the State of Texas.

Sec. 4. The sum of Five Thousand Dollars (\$5,000) or so much thereof as may be necessary is hereby appropriated out of the funds of the Treasury of the State, not otherwise appropriated, to pay expenses of such publication and election.

Passed the House, February 20, 1945: Yeas 135, Nays 0; House concurred in Senate amendments, May 17, 1945: Yeas 113, Nays 10; passed by the Senate, as amended, May 9, 1945: Yeas 21, Nays 6. Filed without the Governor's signature, May 22, 1945. Adopted at election held Aug. 25, 1945.

## CONSTITUTIONAL AMENDMENT—ART. 8, § 7-a

H. J. R. No. 49

Proposing an amendment to Article VIII of the Constitution of the State of Texas by adding thereto a new section to be known as "Section 7-a"; providing that subject to legislative appropriation, allocation and direction all net revenues derived from the taxes, except gross production and ad valorem taxes, levied on motor fuels and lubricants and motor vehicles registration fees shall be used for the sole purposes of acquiring rights-of-way for and constructing and maintaining public roadways; for the administration of laws pertaining to traffic and safety; and for the payment of principal and interest on county and road district bonds or warrants voted or issued prior to January 2, 1939, and declared eligible for debt service prior to January 2, 1945; providing that one-fourth (1/4) of such net revenue from the motor fuel tax shall be allocated to the Available School Fund; providing and insuring that each county shall never derive less revenue from motor registration fees than the maximum amounts and percentages of such fees allowed to be retained by each county under the laws in effect on January 1, 1945; negating any interpretation of this amendment as authorizing the pledging of the State's credit for any purpose; providing for the submission of this amendment to the voters of this State; prescribing the form of ballot; and providing for the proclamation of the election and the publication thereof.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Article VIII of the Constitution of the State of Texas be amended by adding thereto a new Section to be known as 7-a and to read as follows:

"Section 7-a. Subject to legislative appropriation, allocation and direction, all net revenues remaining after payment of all refunds allowed by law and expenses of collection derived from motor vehicle registration fees, and all taxes, except gross production and ad valorem taxes, on motor fuels and lubricants used to propel motor vehicles over public road-